

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ALONZO BENTON,**

**Plaintiff,**

**v.**

**CSX TRANSPORTATION,**

**Defendant.**

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**CIVIL ACTION**

**NO. 19-109**

**ORDER**

**AND NOW**, this \_\_21st\_\_ day of July 2021, upon consideration of Defendant CSX Transportation's Motion for Summary Judgment (ECF 29), Plaintiff Alonzo Benton's Response in Opposition (ECF 30), and CSX's Reply Brief (ECF 31), **IT IS HEREBY ORDERED AND DECREED** that Defendant's Motion for Summary Judgment is **DENIED**.<sup>1</sup>

**BY THE COURT:**

**/s/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> This Order accompanies the Court's Memorandum Opinion dated July 21, 2021.